

EXHIBIT 2

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DARIUS HOWARD,

Plaintiff,

-against-

CITY OF ROCHESTER,
JONATHAN LAUREANO,
COUNTY OF MONROE, and
DARREN PILATO,

Defendants.

**ORDER GRANTING MOTION TO
UNSEAL DOCUMENTS IN *PEOPLE*
v. HOWARD, IND. NO. 2016-154**

Case No.: 23-cv-6561 (FPG) (MJP)

Some charges against Plaintiff Darius Howard and criminal trial material related to his prosecution in *People v. Darius Howard*, Ind. No. 2016-154 (Sup Ct, Monroe County) were sealed under New York Criminal Procedure Law § 160.50. Plaintiff commenced this action pursuant to 42 U.S.C. § 1983 bringing civil claims pertaining to those sealed charges and the parties consent to unsealing of materials regarding those charges for use in this action, therefore it is:

ORDERED,

1. All orders to seal relating *People v. Darius Howard*, Ind. No. 2016-154, whether issued by a court or created by operation of law, are vacated.

2. All official records and papers relating to *People v. Darius Howard*, Ind. No. 2016-154 (collectively, the “Records”), in possession of the following entities and individuals, sealed because of an order of a court or by operation of law are unsealed under the conditions in specified below.

2.1 Monroe County District Attorney;

- 2.2 Monroe County Sherriff;
- 2.3 Monroe County Clerk;
- 2.4 Monroe County Supreme Court and County Court Clerk;
- 2.5 Court Reporters/Stenographers;
- 2.6 City of Rochester or Rochester Police Department.

3. True, accurate, and complete copies of the Records in the custody and control of the individuals and entities delineated in paragraph 2 above will be provided to counsel for Plaintiff and Defendants herein.

4. The Records are and shall be designated and treated as Confidential pursuant to the Protective Order previously entered in this case. *See* ECF No. 15.

5. The Records will be used solely to prosecute or defend claims in this matter or the related matter of *Owens v. County of Monroe*, 21-cv-06445 (FPG) (MWP) (W.D.N.Y.).

6. Under New York Criminal Procedure Law § 160.50 the Records will otherwise remain confidential and are not to be disclosed by the custodians of such files, the parties, and/or counsel, except in the prosecution or defense of this matter or the *Owens* matter.

IT IS SO ORDERED.

Dated: _____, 2024
Rochester, New York

HON. MARK W. PEDERSEN
UNITED STATES MAGISTRATE JUDGE